



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/928,028	08/10/2001	Aleta Ricciardi	SYN006-152991-4	5194
40947	7590	06/16/2006	EXAMINER	
STUART RUDOLER LLC ATTN: DOCKET CLERK 2 BALA PLAZA, SUITE 300 BALA CYNWYD, PA 19004			BILGRAMI, ASGHAR H	
			ART UNIT	PAPER NUMBER
			2143	

DATE MAILED: 06/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/928,028

Applicant(s)

RICCIARDI, ALETA

Examiner

Asghar Bilgrami

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-57 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-57 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 August 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 05/24/06.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claim 1-57 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 101

2. In light of the amended claims the examiner has withdrawn 35 USC § 101 rejection.

Drawings

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the relationship of groups, group proxies, services and service proxies (preferably in Hierarchal view) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the

Art Unit: 2143

remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

4. The drawings are objected to under 37 CFR 1.83(a) because they fail to show , the relationship of groups, group proxies, services and service proxies as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and

Art Unit: 2143

informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 34 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Line 5 of Claim 34 talks about service proxy being used to call its associated service while on line 7 it talks about clients calling group to perform task. It is unclear from the claim language whether service proxy is performing the task or the group is performing the task. It would also be beneficial to amend the claim such that this ambiguity is resolved. Additionally the claim language should be amended to show a clear understanding of the relationship between group, group proxies, service and service proxies on how each of them is associated with each other and how all of these entities are tied together in a distributed computing environment.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allard (U.S. 6,067,559) and Core Jini, second edition, Sun Micro Systems by W. Keith Edwards.

9. As per claims 1, 5, 12, 19, 25, 26, 30, 31, 34, 43, 48, 53 & 55 Edward disclosed a distributed computing system comprising: a plurality of computing devices; a plurality of services, operating on at least one of the computing devices, arranged into a plurality of groups (page.64, lines 9-16 & pages.184 & 185, "Groups partition the community Name space" section), with each of these services having an associated service proxy, operating on at least one of the computing devices, said service proxy used to call its associated service (Edward page. 74 "Finding a service section" section). However Edward did not explicitly disclose a plurality of clients, operating on at least one of the computing devices, that call the groups to perform tasks; a plurality of group proxies, each group proxy being associated with a group, operating on at least one of the computing devices, and being used by a client to communicate with its associated group, and each group proxy being comprised of a group logic shell containing the logic necessary to communicate with the associated group; and at least one of the service proxies associated with a service within the associated group; a group service, operating on at least one

Art Unit: 2143

of the computing devices, that creates and updates the group proxy; a plurality of grouping agents, each grouping agent being associated with a grouped service, operating on at least one of the computing devices, and communicating on behalf of its associated service with the group service and other services within its group; and communication network allowing the computing devices to communicate with each other.

In the same field of endeavor Allard disclosed a plurality of clients, operating on at least one of the computing devices, that call the groups to perform tasks; a plurality of group proxies, each group proxy being associated with a group, operating on at least one of the computing devices, and being used by a client to communicate with its associated group (col.4, lines 25-36), and each group proxy being comprised of a group logic shell containing the logic necessary to communicate with the associated group; and at least one of the service proxies associated with a service within the associated group (col.5, lines 58-67 & col.6, lines 1-5); a group service, operating on at least one of the computing devices, that creates and updates the group proxy (col.6, lines 53-61); a plurality of grouping agents, each grouping agent being associated with a grouped service, operating on at least one of the computing devices, and communicating on behalf of its associated service with the group service and other services within its group (col.4, lines 25-36) ; and communication network allowing the computing devices to communicate with each other (col.1, lines 14-16).

At the time the invention was made it would have been obvious to one in the ordinary skill in the art to incorporate group proxies associated with group to perform task as disclosed by Allard in a distributed computing sytem having services and service proxies associated with the services as

Art Unit: 2143

disclosed by Edward in order to organize and the services in functional groups resulting in optimal performance for the clients and thus enriching the network environment.

10. As per claims Edward-Allard disclosed 2, 8, 9, 10, 15, 16, 17, 32 & 41 the mobile group proxy described in claim 1 wherein the mobile group proxy is created while the application is executing (Allard, col.4, lines 25-36).

11. As per claim 3 Edward-Allard disclosed the mobile group proxy described in claim 1 wherein the mobile group proxy can be modified while the application is executing (Allard, col.4, lines 25-36).

12. As per claim 4, 11, 18, 33, 42, 47, 52 & 56 Edward-Allard disclosed the mobile group proxy described in claim 1 wherein the group proxy is able to buffer commands from the client to the group of services when the group is not available (Allard, col.4, lines 25-36).

13. As per claims 6 & 13 Edward-Allard disclosed the method of claim 5 wherein the group logic shell is selected based upon the type of group structure desired (Allard, col.4, lines 25-36, col.5, lines 58-67 & col.6, lines 1-5).

14. As per claims 7, 14, 20, 35, 44 & 49 Edward-Allard disclosed the method of claim 6 wherein the group structure is peer or coordinator cohort (Allard, col.4, lines 48-59).

Art Unit: 2143

15. As per claims 21 & 55 Edward-Allard disclosed the system described in claim 19 further comprised of additional services arranged into at least one additional group (Allard, col.4, lines 25-36).

16. As per claims 22 & 36 Edward-Allard disclosed the system described in claim 21 wherein at least one of the groups is comprised of a single service (Allard, col.4, lines 25-36).

17. As per claims 23 & 37 Edward-Allard disclosed the system describe in claim 21 wherein all the services in each group perform the same task (Allard, col.4, lines 25-36).

18. As per claim 24 Edward-Allard disclosed the system described in claim 21 further comprising a group proxy for each group (Allard, col.4, lines 25-36).

19. As per claims 27, 38, & 54 Edward-Allard disclosed the system described in claim 19 wherein the plurality of computing devices are virtual machines within a general purpose computer (Allard, col.1, lines 13-24).

20. As per claims 28, 39 & 57 Edward-Allard disclosed the system described in claim 19 further comprising a look-up service, operating on at least one of the computing devices, that lists the group and some of the other services available in the system (Allard, col.6, lines 53-61).

Art Unit: 2143

21. As per claim 29 & 40 Edward-Allard disclosed the system described in claim 28 wherein the look-up service and the group service are combined into a single service (Allard, col.6, lines 53-61).

22. As per claims 45 & 50 Edward-Allard disclosed the method described in claim 43 wherein the services are arranged into a plurality of groups, there is a group logic shell for each group and the group service creates a group proxy for each group (Allard, col.4, lines 25-36, col.5, lines 58-67 & col.6, lines 1-5).

23. As per claims 46 & 51 Edward-Allard disclosed the method described in claim 43 wherein the group service provides the group proxy to the client by registering the group proxy with a look-up service (Allard, col.4, lines 25-36, & col.6, lines 53-61).

Response to Arguments

24. Applicant's arguments with respect to claims 1-57 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Asghar Bilgrami whose telephone number is 571-272-3907. The examiner can normally be reached on M-F, 8:00-5:00PM.

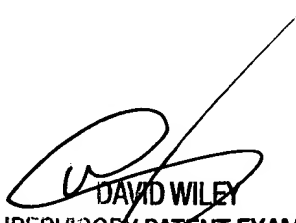
Art Unit: 2143

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


AB

Asghar Bilgrami
Examiner
Art Unit 2143


DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100